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MICHAEL O SCHEINBERG

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MICHAEL O. SCHEINBERG  
Patent Attorney

MAR 08 2006

March 8, 2006

## Fax

Name: Examiner Andrew J. Fischer  
Art Unit: 3627  
Organization: United States Patent and Trademark Office  
Fax: 1-571-273-8300

From: Michael O. Scheinberg  
PO Box 164140  
Austin, TX 78716-4140  
Phone: (512) 328-9510  
Fax: (512) 306-1963  
Date: March 8, 2006  
Subject: Examiner Interview Request Form  
Docket No.: C054-2  
Pages: Total of 7 pages *(including this coversheet)*

### Comments:

Attached please find:

1. Communication (2 pages)
2. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) (2 pages)
3. Fee Transmittal (1 page) (in duplicate)

Michael O. Scheinberg  
Patent Reg. No.: 36,919

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MAR 08 2006

Attorney Docket No.: C054-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 09/300,881 ART UNIT: 3627  
FILING DATE: 04/28/1999 EXAMINER: Andrew J. Fischer  
INVENTOR(S): James H. Wolfston  
TITLE: Method and Apparatus for Increasing Charitable Donations by  
Providing Instantaneous Donor Recognition

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION

Applicants filed a Request for Continued Examination with Request to Suspend Prosecution for 30 days on December 6, 2005, but did not include a response to the outstanding Office action. An Amendment after an RCE was filed January 8, 2006. Because the RCE was filed without the amendment, the RCE was improper. Applicants have not been notified by the PTO that the RCE was improper or that the case is abandoned.

Applicants request that the revival fee be waived, because had the PTO rejected the RCE as improper, applicants could have filed the amendment before the case was abandoned.

Alternatively, applicants request that the \$130.00 fee paid to suspend prosecution be re-credited, so the remaining balance due for the Petition to Revive is \$620.00. The commissioner

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certified that this correspondence is being facsimile transmitted to (571) 273-8300, Central Fax Unit, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

On: March 8, 2006

By: Margarita Márquez-Escalona

Name: Margarita Márquez-Escalona  
Telephone: (512) 328-9510

- 1 -

Attorney Docket No.: C054-2

is authorized by the attached fee transmittal to charge whatever he deems proper to revive the application

Very truly yours,

Date: 3/8/06

By: 

Michael O. Scheinberg  
Patent Attorney  
Pat. Reg. No. 36,919  
P.O. Box 164140  
Austin, Texas 78716-4140  
Telephone: (512) 328-9510  
Facsimile: (512) 306-1963

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PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0881-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |   |
|--|---|
| <b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT<br/>ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b> | <b>Docket Number (Optional)</b><br>C054-2 |
|--|---|

First named inventor: James H. Wolfston

Application No.: 09/300,881

Art Unit: 3627

Filed: April 28, 1999

Examiner: Andrew J. Fischer

Title: Method and Apparatus for Increasing Charitable Donations by Providing Instantaneous Donor Recognition

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

### 1. Petition fee

- ☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity -- fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

### 2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Response to Office Action (identify type of reply):

- ☒ has been filed previously on January 8, 2006  
☐ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/13/2006 WABDELRI 0000066 501635 09300881

01 FC:2453 620.00 DA 130.00 DP

2006/MAR/08/WED 02:56 PM MICHAEL O SCHEINBERG

FAX No. 512 306 1963

P. 005

PTO/SB/64 (10-05)

Approved for use through 07/31/2006, OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Michael O. Scheinberg  
Signature

3/8/06  
Date

Michael O. Scheinberg  
Typed or printed name

36,919  
Registration Number, if applicable

P.O. Box 164140  
Address

(512) 328-9510  
Telephone Number

Austin, Texas 78716-4140  
Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

March 8, 2006  
Date

Margarita Marquez Escalona  
Signature

Margarita Marquez-Escalona  
Typed or printed name of person signing certificate

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

*Effective on 12/08/2004.*

**Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**

**Complete If Known**

☒ Applicant claims small entity status. See 37 CFR 1.27

|                                |             |               |
|--------------------------------|-------------|---------------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | <b>(\$)</b> | <b>620.00</b> |
|--------------------------------|-------------|---------------|

**METHOD OF PAYMENT** (check all that apply)

☒ **Deposit Account** Deposit Account Number: 50-1635 Deposit Account Name: Michael O. Scheinberg

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) Indicated below☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

## 2. EXCESS CLAIM FEES

[illegible]

|  |     |     |
|--|-----|-----|
| Each claim over 20 (including Reissues)            | 50  | 25  |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims                          | 360 | 180 |

Total Claims      Extra Claims      Fee (\$)      Fee Paid (\$)  
 \_\_\_\_\_ • 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| - 3 or HP =          | x                   | =               |                      |

HP = highest number of independent claims paid for, if greater than 3.

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 =             | / 50 =              | (round up to a whole number) x                          | =               |                      |

#### 4. OTHER FEE(S)

**Non-English Specification, \$130 fee (no small entity discount)**

Other (e.g., late filing surcharge): Petition Fee under 37 CFR 1.17(m) minus Fee under 37 CFR 1.17(l)

620.00

## SUBMITTED BY

|                   |                              |                                      |        |                          |
|-------------------|------------------------------|--------------------------------------|--------|--------------------------|
| Signature         | <i>Michael O. Scheinberg</i> | Registration No.<br>(Attorney/Agent) | 36,919 | Telephone (512) 328-9510 |
| Name (Print/Type) | Michael O. Scheinberg        |                                      |        | Date 3/8/06              |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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